REMARKS

I. Status of Claims for Amendment under 37 CFR §1.111

Claims 1, 2, 4-12, 14-20, 22-24, 26-35 and 37-41 are pending in this application for this Amendment filed in response to the May 28, 2008 Non-Final Office Action in which claims 1, 2, 4-12, 14-20, 22-24, 26-35, 37 and 38 were pending. No claims are allowed, although the previous rejection in the October 3, 2007 Non-Final Office Action has been withdrawn. Reconsideration based on the following remarks is respectfully requested.

II. Amendments under 37 CFR §1.121

By this Amendment, the specification and claims 1, 6, 14, 15, 17-20, 22-24 and 26-34 are amended in accordance with 37 CFR §§1.121(b)(1)(ii) and (c)(1)-(2), and claims 39-41 are added in accordance with 37 CFR §1.121(c)(3). Claims 1, 17 and 34 are amended and claims 39-41 are added to recite features incorporated from and supported in the specification at, for example, page 14 line 16 – page 15 line 21 (corresponding to paragraphs [0040] – [0043] of U.S. Patent Application Publication 2005/0138601) and FIGs. 5A-5C. Claims 17-20, 22-24 and 25-33 are amended to replace their preambles. Claims 1, 17, 28-32 and 34 are further amended to correct antecedence. No new matter is added by any of these amendments. No additional claim fee is required for the additional claims.

III. Subject Matter Rejection under 35 U.S.C. §101

The Office Action rejects claims 17-24 and 26-33 as being allegedly non-statutory subject matter under 35 U.S.C. §101 based on their appearance of being software *per se*. This rejection is rendered moot with respect to claim 21 that had been previously cancelled, and is respectfully traversed for the remaining claims.

In particular, claim 17 has been amended in the preamble to replace "A multiple-user graphical programming and analysis environment program..." with --An apparatus to provide an environment for multiple-user graphical programming and analysis by machine-readable instructions executable on a computer platform, said apparatus...--. Further, claims 18-20, 22-24 and 26-33 are amended to replace "environment program" with --apparatus--.

Applicants consequently submit that claims 17-20, 22-24 and 26-33 conform to patentable subject matter and respectfully request that the rejection under §101 be withdrawn.

IV. Anticipatory Rejection under 35 U.S.C. §102

The Office Action rejects claims 1, 2, 4-10, 12, 14-20, 22-24, 26-32, 34, 35, 37 and 38 as being allegedly anticipated under 35 U.S.C. §102(e) over U.S. Patent 6,802,053 to Dye *et al.* (hereinafter "Dye"). This rejection is respectfully traversed.

A. Description of Inventive Features: Applicants' claimed features are directed to an apparatus to provide an environment for multiple-user graphical programming and analysis by machine-readable instructions (as a program 108) executable on a computer platform that includes (as provided in claim 17) graphically represented code objects (208, 212), graphically represented inter-code object connections (214) and at least one application program (210) within a white board area (202). Each code object (208) is created by a user (206) and accessible by other users in accordance with security privileges of the other users. Each inter-code object connection (214) represents data transfer between a pair of code objects (212). The application program is composed of at least one chain of the code objects interconnected by the inter-code object connections. The graphical white board area (202) provides a region within which the code objects are definable and movable and the inter-code object connections are creatable. The application program is executable within the graphical white board area. These features are described in the specification, for example, at page 7 line 13 – page 9 line 2 (corresponding to paragraphs [0023] – [0025] in U.S. Patent Application Publication 2005/0138601) and FIG. 2.

Each inter-code object connection (214) terminates on one of an edge and an interior of one of the code objects (212). These features are described in the specification, for example, at page 10 lines 10-20 (corresponding to published paragraph [0029]. Each code object (300) includes a data interface indicating first data (302) to be input into the code object and second data (306) to be output by the code object, and internal logic (304) to generate the second data from the first data. These features are described in the specification, for example, at page 11 line 8 – page 12 line 13 (corresponding to published paragraphs [0031] – [0033]) and FIG. 3.

An exemplary program can be executed by displaying in the white board area (202) a first window (500) that includes a dialog box (502) and an acknowledgement ("OK") cursor region or button (504). The user inputs the first data into the box (502) to be transferred to the internal logic (304). In response, the program displays a second window (510) that includes another box (512) and another OK button (514). The user inputs the second data into the box (512) to be transferred to the internal logic (304) for executing its associated operating instructions. Then the program displays a third window (520) to display the output result to the user. The program can then be terminated by a further OK button (522). These features are described in the specification, for example, at page 14 line 16 – page 15 line 21 (corresponding to published paragraphs [0040] – [0042]) and FIGs. 5A-5C.

Applicants' claimed features are also directed to methods (as provided in claims 1 and 34) for operating in a multiple-user graphical programming and analysis environment. One method provides for steps described in the specification, for example, at page 16 line 10 – page 17 line 23 (corresponding to published paragraphs [0046] – [0049]) and FIG. 6. The steps include: accessing by a user (206) a graphical programming and analysis environment program (108) that other users are already currently accessing (602), generating by the user graphically represented code objects (300) within the environment program (604), graphically chaining together code objects by the user within the environment program (610) and assembling application programs by the user within the environment program, each application program composed of the code objects as have been chained together (612).

The code objects generating step further includes steps that for each code object, the user determining a data interface indicating first data (302) to be input into the code object and second data (306) to be output by the code object (606), and the user determining internal logic (304) to generate the second data from the first data (608). The chaining step includes chaining together the code objects generated by the user and code objects generated by the other users to which the user has access based on security privileges accorded to the user, to yield inter-code object communication by inter-code object connections. Each inter-code object connection terminates on one of an edge and an interior of one of the code objects. Each application program is composed of the code objects that have been chained together.

The other method provides for steps described in the specification, for example, at page 18 line 1 – page 19 line 12 (corresponding to published paragraphs [0050] – [0053]) and FIG. 7. The steps include: providing asynchronous access to multiple users to a graphical programming and analysis environment program (108) visually represented as a white board (702), allowing each user of the multiple users to generate graphically represented code objects within the environment program (704), allowing each user access to the code objects of other users of the multiple users based on security privileges accorded to the user (714), allowing each user to have the code objects of the user be chained to the code objects of the other users to which the user has access to yield inter-code object communication by inter-code object connections (716), and allowing each user to execute application programs composed of the code objects as chained together within the environment program (718). The code objects generating step further includes allowing said each user to instantiate one or more code objects (706), allowing said each user to determine an internal logic for each code object (708), allowing said each user to determine first data to be received by said each code object (710), and allowing said each user to determine second data to be sent by said each code object (712). Each inter-code object connection terminates on one of an edge and an interior of one of the code objects.

B. Applied Reference: Dye does not teach or suggest the methods recited in claims 1 and 34, and further fails to teach or suggest the apparatus recited in claim 17. Instead, Dye discloses a method for distributing user interfaces by graphical programs executed by a server 86. See col. 4 lines 16-24. In particular, Dye teaches execution of a graphical program at step 422 by displaying a block diagram with objects called "nodes" featured as icons that provide user interface indicators. See col. 11 lines 19-41 and FIGs. 4-6 of Dye.

However, Dye fails to teach or suggest "opening a first input window that displays a first dialog box and a first acknowledgement cursor region, wherein the first dialog box receives the first data, and the internal logic receives the first data in response to said each user executing the first acknowledgement cursor region; opening a second input window that displays a second dialog box and a second acknowledgement cursor region, wherein the second dialog box receives the second data, and the internal logic receives the second data in response to said each user executing the second acknowledgement cursor region; and opening an output window that dis-

plays result data from the internal logic operating on the first and second data", as recited in claims 1 and 34 and similarly recited in claim 17. In particular, Dye lacks any teaching for acknowledgement of data entry and provides only cursory comment on input interfaces. Thus, Dye fails to teach or suggest all of the features recited in Applicants' claims.

C. Statutory Deficiency: A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See MPEP §2131. Applicants assert that the Office Action fails to satisfy this requirement with Dye. In particular, Applicants submit that Dye lacks any teaching or suggestion of the window-opening, data entry and acknowledgement features as described above and recited in the independent claims.

V. Obviousness Rejection under 35 U.S.C. §103

The Office Action rejects claims 11 and 33 as being allegedly unpatentable for obviousness under 35 U.S.C. §103(a) over Dye. This rejection is respectfully traversed.

The Office Action concedes at pages 18-19 that Dye lacks explicit teaching for a chat area as recited in claim 33, and further fails to teach non-graphically represented code objects to include image-viewing, video-playing and/or audio-playing programs as recited in claim 11.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j).

Applicants assert that the Office Action fails to satisfy these requirements, especially the second, with Dye. In particular, although Applicants acknowledge that Dye's teachings do not preclude such inclusion by teaching away, the recited features for Applicants' white board in claims 11 (for display) and 33 (for personal communication) are inconsistent with the operations in the applied reference for test units and process monitoring (with measurement instrumentation) as indicated by item 150 at col. 8 lines 42-47, 56-62 and FIGs. 2A and 2B of Dye.

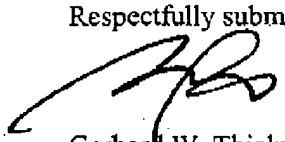
VI. Conclusion

Consequently, all the claims are in condition for allowance. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §§102 and 103 be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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Date: August 22, 2008

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